IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR
&
THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

MONDAY, THE 26TH NOVEMBER 2007 / 5TH AGRAHAYANA 1929

WP(C).No. 31084 of 2007(A)

PETITIONER:

ANILKUMAR K., AGED 36 YEARS,
S/O.KRISHNAN NADAR, KRISHNAVILASAM VEEDU,
KOLIYOOR, MUTTAKKADU P.O., VENGANNOOR,
TRIVANDUM DISTRICT.

BY ADV. SRI.K.G.RADHAKRISHNAN

RESPONDENTS:
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1. THE SECRETARY TO GOVERNMENT (HOME)
SECRETARIATE, THIRUVANANTHAPURAM.

2. THE COMMISSIONER OF POLICE,
THIRUVANANTHAPURAM CITY.

3. THE SUB INSPECTOR OF POLICE,
POOJAPPURA POLICE STATION,
THIRUVANANTHAPURAM.

4. THE SUB INSPECTOR OF POLICE,
KOVALAM POLICE STATION,
THIRUVANANTHAPURAM.

5. THE SUB INSPECTOR OF POLICE,
POONTHURA POLICE STATION,
THIRUVANANTHAPURAM.

6. THE SUB INSPECTOR OF POLICE, MEDICAL
COLLEGE POLICE STATION,
THIRUVANANTHAPURAM.

7. THE SUB INSPECTOR OF POLICE,
FORT POLICE STATION,
THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER MR.PA SALIM

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR & K.P.BALACHANDRAN, JJ.

Writ Petition (C) No.31084 of 2007-A

Judgment

Balakrishnan Nair, J.

The petitioner is a practising lawyer. He has been implicated in eight criminal cases. According to him, he has been falsely implicated in those cases, solely based on the statement of an accused in a criminal case. So, this Writ Petition is filed, praying for a direction to the respondents not to harass him.

2. The 6th respondent has filed a statement, in which the details of the criminal cases registered against the petitioner are given. They include cases, involving offences under Sections 379 IPC, 394 IPC and also the offence under Section 20(b) of the NDPS Act. The petitioner has filed a reply affidavit, explaining that all those criminal cases were registered, based on the alleged confession of an accused in a criminal case. The crime under the NDPS Act has been registered on the information lodged by a Jailor, it is submitted.

3. As long as the petitioner is an accused, he is liable to be dealt with under the provisions of the Cr.P.C. The same cannot be described as harassment from the part of the Police. The contention of the petitioner that he

has been falsely implicated in those cases, is kept open.

Sd/-**K.BALAKRISHNAN NAIR,JUDGE**

26.11.2007 Sd/-**K.P.BALACHANDRAN, JUDGE**

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